

Application/Control Number: 10/662,635
Art Unit: 2645

Docket No.: 112487CON-1

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Claims 1-8 and 10-24 are pending, claims 1, 6, 7, 10-13, and 15 having been amended, claim 9 having been canceled without prejudice or disclaimer, and claims 16-24 having been added.

In the outstanding non-Final Office Action, the Examiner advised Applicants that claim 9 is a substantial duplicate of claim 8; rejected claims 1 and 5-12 under the judicially created doctrine of obviousness-type double patenting over claims 1, 6-9, and 11-13 of U.S. Patent No. 6,654,448 to Agraharam et al ("Agraharam"); rejected claims 1-3, 5, 6, and 8-10 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,072,862 to Srinivasan in view of U.S. Patent No. 6,058,164 to Ibuka et al. ("Ibuka"); rejected claims 13-15 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,173,259 to Bijl et al ("Bijl") in view of Ibuka; and rejected claims 4, 7, 11 and 12 under 35 U.S.C. 103(a) as allegedly being unpatentable over Srinivasan in view of Ibuka and further in view of U.S. Patent No. 6,064,723 to Cohn et al. ("Cohn").

Examiner's Comment Regarding Claim 9 Being a Duplicate of Claim 8

On page 2 of the outstanding Office Action, the Examiner advised Applicants that claim 9 is a substantial duplicate of claim 8. In response to the Examiner's comments, Applicants canceled claim 9 without prejudice or disclaimer.

Double Patenting Rejection of Claims 1 and 5-12

On page 2 of the outstanding Office Action, the Examiner rejected claims 1 and 5-12 under the judicially created doctrine of obviousness-type double patenting over claims 1, 6-9, and 11-13 of U.S. Patent No. 6,654,448 to Agraharam et al ("Agraharam"). Applicants are submitting, concurrently herewith, a Terminal Disclaimer with respect to Agraharam.

Application/Control Number: 10/662,635
Art Unit: 2645

Docket No.: 112487CON-1

Therefore, Applicants respectfully request that the rejection of claims 1, 5-8 and 10-12 be withdrawn. Claim 9 was canceled without prejudice or disclaimer rendering the rejection of claim 9 moot.

Rejection of Claims 1-3, 5, 6, and 8-10

On page 4 of the outstanding Office Action, the Examiner rejected claims 1-3, 5, 6, and 8-10 under 35 U.S.C. 103(a) as allegedly being unpatentable over Srinivasan in view of Ibuka. Applicants submit that the amended claims obviate the rejection. Claim 9 was canceled without prejudice or disclaimer rendering the rejection of claim 9 moot.

Amended claim 1 is directed to a method for transmitting a message to an intended recipient. The method includes, among other things, receiving information regarding the intended recipient from the sending party at the time the intended recipient provides the oral message.

Applicants submit that both Srinivasan and Ibuka fail to disclose or suggest, either separately or in combination, receiving information regarding the intended recipient from the sending party at the time the intended recipient provides the oral message, as required by claim 1. Therefore, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Claims 2-3, 5, 6, 8, and 10 depend from claim 1 and are patentable over Srinivasan and Ibuka for at least the reasons provided with respect to claim 1. Therefore, Applicants respectfully request that the rejection of claims 2-3, 5, 6, 8, and 10 be withdrawn.

Rejection of Claims 13-15

On page 6 of the outstanding Office Action, the Examiner rejected claims 13-15 as allegedly being unpatentable over Bijl in view of Ibuka. Applicants submit that the amended claims obviate the rejection.

Application/Control Number: 10/662,635
Art Unit: 2645

Docket No.: 112487CON-1

Amended claims 13 is directed to an answering service. The answering service performs, among other things, querying the sender with respect to whether a restricted domain is to be used when converting an oral message into a text message.

On page 7 of the Office Action, the Examiner asserts that Bijl discloses applying a restricted domain speech recognition program. Applicants submit that, regardless of whether Bijl does or does not disclose applying a restricted domain speech recognition program, Bijl fails to disclose or suggest an answering service that performs querying of the sender with respect to whether a restricted domain is to be used when converting an oral message into a text message, as required by claim 13.

Ibuka also fails to satisfy the deficiencies of Bijl. Therefore, Applicants submit that neither Bijl nor Ibuka disclose or suggest, either separately or in combination, an answering service that performs querying of the sender with respect to whether a restricted domain is to be used when converting an oral message into a text message, as required by claim 13. Therefore, Applicants respectfully request that the rejection of claim 13 be withdrawn.

Claims 14-15 depend from claim 13 and are patentable over Bijl and Ibuka for at least the reasons provided with respect to claim 13. Therefore, Applicants respectfully request that the rejection of claims 14 and 15 be withdrawn.

Rejection of Claims 4, 7, 11, and 12

On page 8 of the Office Action, the Examiner rejected claims 4, 7, 11 and 12 under 35 U.S.C. 103(a) as allegedly being unpatentable over Srinivasan in view of Ibuka and further in view of Cohn. Applicants submit that the amended claims obviate the rejection.

Claims 4, 7, 11, and 12 depend from claim 1. Applicants submit that Srinivasan and Ibuka do not disclose or suggest, separately or in combination, the features of claims 4, 7, 11, and 12 for at least the reasons provided with respect to claim 1. Applicants submit that Cohn also fails to satisfy the deficiencies of Srinivasan and Ibuka. Therefore, Applicants submit

Application/Control Number: 10/662,635
Art Unit: 2645

Docket No.: 112487CON-1

that Srinivasan, Ibuka, and Cohn do not disclose or suggest, either separately or in combination, all of the features of claims 4, 7, 11, and 12. Applicants, therefore, respectfully request that the rejection of claims 4, 7, 11, and 12 be withdrawn.

New Claims 16-24

New claims 16-20 depend from claim 1 and are patentable over the cited references for at least the reasons provided with respect to claim 1.

Independent claim 21 is directed to a system, which comprises, among other things, means for receiving oral information and for determining a delivery address associated with an intended recipient based on at least a portion of the received oral information. Applicants submit that the cited references fail to disclose or suggest such a feature.

Claims 22-24 depend from claim 21 and are patentable over the cited references for at least the reasons provided with respect to claim 21.

Conclusion

Having addressed all rejections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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